

Superior Court
Barnstable, SS

Filed APR 18 2019

Scott B. Nicholas
Clerk

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS

SUPERIOR COURT
DOCKET NO. 1572CR00128

COMMONWEALTH

v.

KEVEN SEME
Defendant

**MOTION FOR RELEASE OF ONE-PAGE RECORD HELD BY THE COURT
UNDER SEAL**

Counsel moves the Court provide a digital copy of the one-page record ("Record") referenced in the attached letter dated April 17, 2019, and signed by the Court through Assistant Clerk Scott Colgan ("Letter"). The Letter references the Record is to be made available to Counsel subject to a Protective Order. Counsel assents to a Protective Order, a draft of which is attached.

As grounds, the Letter is accompanied by a Suffolk County District Attorney's Motion to Quash ("Motion") authored by Asst. District Attorney Nicholas Brandt. The Court has requested Counsel and the Commonwealth submit any opposition to the Motion by Monday, April 22. Upon information and belief, the Record will provide basis and support for any Opposition. Further such Opposition would of necessity be crippled without knowledge of the Record.

Therefore, Counsel moves the Court provide a digital copy of the one-page record ("Record") referenced in the attached letter dated April 17, 2019, and signed by the Court through Assistant Clerk Scott Colgan ("Letter") subject to the Protective Order attached,

THE DEFENDANT

By His/Her Attorney

Edward B. Fogarty

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CERTIFICATE OF SERVICE: I, Edward Fogarty, certify I have caused a copy of the above to be served upon all parties. /s/ Edward Fogarty

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS

SUPERIOR COURT
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COMMONWEALTH

v.

KEVEN SEME
Defendant

**ORDER FOR RELEASE OF ONE-PAGE RECORD HELD BY THE COURT
UNDER SEAL WITH PROTECTIVE ORDER**

The Suffolk County District Attorney has filed with the Court a single page document in response to a Rule 17 summons ("Record"). That Record is presently under seal. The Parties seek to view the Record to determine its contents and to further their preparation of further pleadings in opposition to the Suffolk County District Attorney's Motion to Quash the Rule 17's Summons demand for further materials.

Wherefore, it is Ordered the Record is to be provided via digital means such as a scanned copy sent via email or via facsimile to counsel of record provided they agree and sign the Protective Order below. A digital signature shall suffice.

PROTECTIVE ORDER: The Parties agree the Record provided by this Order is to be viewed only by the lawyer of record and his or her staff. No copies of the Record are to be made in any fashion. This Protective Order may be modified at further hearing before the Court.

Beverly J. Cannone
Associate Justice
Superior Court

ASSENT TO THE ORDER



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